

**REMARKS**

In reviewing the Filing Receipt, it was noted that the number of claims and the Filing Fee Received did not comport with the application filed on June 16, 2006. The U.S. format application filed June 16, 2006 contained 20 claims (no multiple dependent claims) and the Filing Fee paid was \$450.00. The Filing Receipt dated March 16, 2007 indicated the application had 14 claims and the Filing Fee charged by the PTO was \$695.00.

Counsel conferred Wednesday, May 9, 2007 with Shakeel Ahmed and was informed that the PCT branch utilized the translation into English of the PCT application as the basis for the U.S. application and not the U.S. format application. I was informed it was necessary to file a Preliminary Amendment in order to have the Examiner consider the U.S. format application and to effect refund of \$245.00 - the difference between \$695.00 (the fee charged by the PTO) and \$450.00 (the fee paid by applicant).

This Preliminary Amendment conforms the English translation filed June 16, 2006 with the U.S. format application filed June 16, 2006.


The suggested procedure by Shakeel Ahmed appears most cumbersome. Why was it necessary to file a Preliminary Amendment to conform the English translation with the U.S. format application - both filed on the same day? Counsel has filed other cases in the PTO where the U.S. format application (not the translation into English). No Preliminary Amendment was necessary. Clarification of current Office procedures would be appreciated.

Respectfully submitted,

Date:

5/11/07

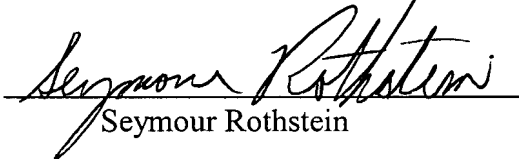
By:

  
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**CERTIFICATE OF MAILING**

I hereby certify that this paper and its attachments are being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 11, 2007.

  
Seymour Rothstein